

Atty. Dkt. No. 041457-0661

21/Prior Art of att

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: David HOUZE et al.  
Title: COMPOSITION AND METHODS  
FOR DRUG DELIVERY  
Appl. No.: 09/768,831  
Filing Date: 01/24/2001  
Examiner: I. Ghali  
Art Unit: 1615

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-1449 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.113, or an action that otherwise closes prosecution in the application.

**RELEVANCE OF EACH DOCUMENT**

WO 95/05013 was cited by the examiner in Applicants' corresponding European application. A copy of the EPO search report is enclosed herewith.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

**FEE**

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or

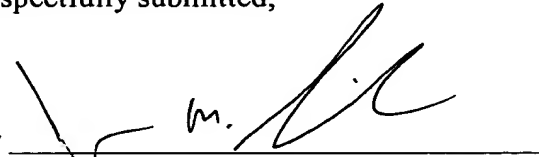
even entirely missing, the Commissioner is authorized to charge the unpaid amount to  
Deposit Account No. 19-0741.

Respectfully submitted,

Date 2 October 2003

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By

A handwritten signature in black ink, appearing to read "M. Silbermann", is written over a horizontal line.

James M. Silbermann  
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